

Reply under 37 CFR 1.116 – Expedited Procedure – Technology Center 1764
Application No.: 10/644,255
Response to Office Action of March 14, 2006
Attorney Docket: CULLN-001B

REMARKS

Summary of Office Action

In the Office Action, Claims 22, 23, 40, and 41 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 and 4 of copending Application No. 10/429,369. Additionally, Claims 22, 23, 40, and 41 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 and 4 of copending Application No. 10/411,796. Also, Claims 20-28 and 40-46 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 and 4 of copending Application No. 10/431,666.

In regard to the substantive rejections, Claims 22-39 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,500,219. Claims 76 and 83-88 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,616,375. Additionally, Claims 40-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,500,219. Claims 58-75 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,500,219. Claims 78-88 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,500,219. Also, Claims 77-81 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,616,375 in view of U.S. Patent No. 6,500,219. Finally, Claim 82 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,616,375 alone or in view of U.S. Patent No. 6,500,219.

Applicant's Response

Upon entry of the present Amendment, Claims 22-39 will have been canceled without prejudice.

Furthermore, three (3) Terminal Disclaimers pursuant to 37 CFR § 1.321(c) are submitted herewith in order to overcome the nonstatutory double patenting rejections.

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Conclusion

By the present Amendment, Applicant has merely canceled Claims 22-39 and submitted three (3) Terminal Disclaimers in compliance with 37 CFR § 1.321(c). As such, Applicant respectfully submits that the present Amendment is in full compliance with 37 CFR § 1.116(b) by placing the rejected claims in better form for consideration on appeal. Accordingly, Applicant requests that the present Amendment be entered.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 3/20/06

By:



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